

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Private Sewage Disposal Licensing Act is
5 amended by changing Section 5b as follows:

6 (225 ILCS 225/5b)

7 Sec. 5b. Licensure required for the maintenance of ~~pumping,~~
8 ~~hauling, and disposal of wastes from~~ portable toilets and
9 potable handwashing units; cleanliness standards.

10 (a) The Department shall by rule, establish and issue a
11 separate license, independent of any other license issued under
12 this Act, for the pumping, hauling, and disposal of wastes
13 removed from the sewage disposal systems of portable toilets
14 and portable, potable handwashing units and the cleaning,
15 sanitizing, and maintenance of portable toilets and portable,
16 potable handwashing units to qualified businesses ~~persons~~
17 responsible for the pumping, hauling, and disposal of wastes
18 removed from the sewage disposal systems of portable toilets
19 and portable, potable handwashing units and the cleaning,
20 sanitizing, and maintenance of portable toilets and portable,
21 potable handwashing units. These rules shall concern, but not
22 be limited to, all of the following areas:

23 (1) License duration and expiration, renewal,

1 reinstatement, and inactive status.

2 (2) All fees relating to initial licensure and renewal.

3 (3) Licensure application form and process.

4 (4) Violations and penalties.

5 (5) Exemptions and waivers.

6 (6) Ventilation, safety, and security requirements of
7 portable toilet units and the sewage disposal systems of
8 portable toilet units.

9 (a-5) The Department shall by rule, establish and issue a
10 certificate of registration as a portable sanitation
11 technician for any employee of a business licensed under this
12 Section who engages in the servicing of portable toilets and
13 portable, potable handwashing units and the cleaning,
14 sanitizing, and maintenance of portable toilets and portable,
15 potable handwashing units. Beginning 6 months after the date of
16 the adoption of Department rules implementing the provisions of
17 this amendatory Act of the 95th General Assembly, no person may
18 engage in the servicing of portable toilets in a manner that
19 does not comply with the requirements of this Act and the rules
20 established by the Department under this Act concerning the
21 issuance of a certificate of registration as a portable
22 sanitation technician. Prior to a registrant's initial renewal
23 of his or her certificate of registration, the registrant must
24 complete a certification program approved by the Department.

25 (b) Beginning 6 months after the date of the adoption of
26 Department rules implementing the provisions of this

1 amendatory Act of the 95th General Assembly, no person or
2 business may engage in the pumping, hauling, and disposal of
3 wastes removed from the sewage disposal systems of portable
4 toilets and portable, potable handwashing units and the
5 cleaning, sanitizing, and maintenance of portable toilets and
6 portable, potable handwashing units without being licensed or
7 certified under this Section. Beginning 6 months after the date
8 of the adoption of Department rules concerning the
9 establishment and issuance of a license for the pumping,
10 hauling, and disposal of wastes removed from the sewage
11 disposal systems of portable toilets, no person may engage in
12 the pumping, hauling, or disposal of wastes removed from the
13 sewage disposal systems of portable toilets in a manner that
14 does not comply with the requirements of this Act and the rules
15 established by the Department under this Act concerning the
16 pumping, hauling, and disposal of wastes removed from the
17 sewage disposal systems of portable toilets.

18 (c) The Department shall require the successful completion
19 of an examination, prescribed by the Department, prior to
20 licensure. The Department may accept the Portable Sanitation
21 Association International's Health and Safety Certification
22 Program as an acceptable educational and testing program.

23 (d) The Department shall consider and make any necessary
24 amendments to the private sewage disposal code in relation to a
25 license issued for the pumping, hauling, and disposal of wastes
26 removed from the sewage disposal systems of portable toilets

1 and portable, potable handwashing units and the cleaning,
2 sanitizing, and maintenance of portable toilets and portable,
3 potable handwashing units.

4 (e) The Department shall establish and enforce standards of
5 cleanliness for companies that sell, lease, rent, or otherwise
6 maintain portable toilet units and portable, potable
7 handwashing units for commercial purposes, which shall
8 include, but not be limited to, the following requirements:

9 (1) Each unit shall be thoroughly cleaned at each
10 pumping, including all parts of the unit, which are the
11 urinal, tank, walls, floors, door, and roof.

12 (2) Soap or anti-bacterial hand cleaner and paper
13 products shall be refilled in each unit at each pumping, if
14 required.

15 (3) After a unit is cleaned, it shall be inspected to
16 ensure compliance with Department rules concerning the
17 ventilation, safety, and security of the unit.

18 (4) A company shall designate at least one
19 representative who shall be responsible for ensuring that
20 each unit maintained by the company meets the standards of
21 cleanliness set forth in this subsection (d) and any
22 additional standards established by the Department.
23 ~~Companies that have designated a person to clean units may~~
24 ~~not designate the same person the responsibility of~~
25 ~~ensuring unit compliance with the standards of~~
26 ~~cleanliness.~~

1 (5) Those persons engaging in cleaning units shall wear
2 protective equipment and be trained in proper procedures
3 for sanitation and self-protection.

4 (Source: P.A. 94-138, eff. 7-7-05.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.